

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

JOSHUA MOORE,

Plaintiff,

vs.

No.: 2:22-cv-2004

**PRECISELY PROMPT FREIGHT, LLC
and ANTHONY DIONNE MANN,**

Defendants.

NOTICE OF REMOVAL OF CIVIL ACTION

TO: Ryan M. Skertich
Morgan & Morgan
80 Monroe Avenue, Suite 900
Memphis, TN 38103

The removing Defendants, Anthony Mann and Precisely Prompt, LLC, pursuant to 28 U.S.C. §1332, 1441 and 1446, and by and through their counsel of record, Glassman, Wyatt, Tuttle & Cox, P.C., hereby file this Notice that this matter has been removed from the Circuit Court of Shelby County, Tennessee, to the United States District Court for the Western District of Tennessee, Western Division, at Memphis, and as basis for said removal would show as follows:

1. This matter was originally filed in the Circuit Court of Shelby County, Tennessee, on the April 2, 2021 under Docket No. CT-4283-21. A copy of the original Complaint filed in the Circuit Court of Shelby County, Tennessee, is attached to this Notice of Removal as Exhibit "A".
2. This is a civil action arising out of alleged personal injury resulting from a motor vehicle accident which occurred on or about April 20, 2021 in Shelby County, Tennessee.

3. The Defendant, Anthony Mann, received the Summons and Complaint on December 21, 2021 at his residence in Bakersfield, Kern County, California. Thus, removal of this action is timely filed. *See* 28 U.S.C. § 1446(b).

4. The Plaintiff, Joshua Moore is presently, and was at the time the Complaint was filed, a resident citizen of Memphis, Shelby County, Tennessee.

5. The Defendant, Anthony Mann, is currently, and was at the time the Complaint was filed, a resident citizen of Bakersfield, Kern County, California.

6. The Defendant Precisely Prompt, LLC, is a limited liability company, existing and organized under the laws of the State of California with its principal place of business in Bakersfield, California. The sole member of the limited liability company is Anthony Mann, who is a resident citizen of Bakersfield, Kern County, California.

7. The Complaint sets forth an *ad damnum* of “\$1,000,000.00” and pursuant to 28 U.S.C. §1446(c)(2) the statutory presumption of the amount in controversy is met pursuant to the *ad damnum*.

8. This Court has original jurisdiction of this action pursuant to 28 U.S.C. §1332(a)(1) and (c)(2) as the lawsuit is between citizens of different states, and as the amount in controversy allegedly exceeds the sum of \$75,000.00 exclusive of interest and costs.

9. Removing Defendants would further show that venue properly lies with this Court pursuant to 28 U.S.C. §1441(a) as this case is being removed from the Circuit Court of Shelby County, Tennessee.

9. As required by 28 U.S.C. § 1446(d), written notice of the filing of this Removal will be provided to all parties and a true and correct copy of this Notice of Removal will be filed

with the Circuit Court Clerk of Shelby County, Tennessee, thereby effectuating removal of this action to this Court.

Respectfully submitted,

s/ Carl Wyatt
CARL WYATT, #12304
Glassman, Wyatt, Tuttle & Cox P.C.
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Memphis, TN 38103
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Counsel for Defendants
GWTC File No. 21-119

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of January, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system.

A true and correct copy of the foregoing pleading has been properly served via the Court's CM/ECF system, Email and/or United States Mail, postage prepaid upon the following:

Ryan M. Skertich
Morgan & Morgan
80 Monroe Avenue, Suite 900
Memphis, TN 38103

s/ Carl Wyatt
Carl Wyatt